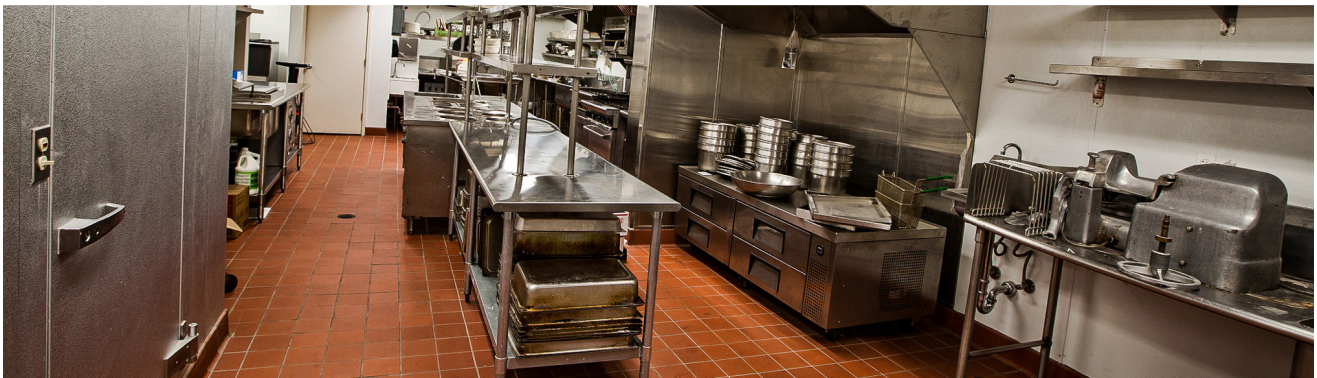




Human Trafficking: Coordinating a California Response

Report #250 | June 2020



Milton Marks Commission on California State
Government Organization and Economy

www.lhc.ca.gov

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The Little Hoover Commission, formally known as the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy, is an independent state oversight agency.

By statute, the Commission is a bipartisan board composed of five public members appointed by the governor, four public members appointed by the Legislature, two senators and two assemblymembers.

In creating the Commission in 1962, the Legislature declared its purpose:

...to secure assistance for the Governor and itself in promoting economy, efficiency and improved services in the transaction of the public business in the various departments, agencies and instrumentalities of the executive branch of the state government, and in making the operation of all state departments, agencies and instrumentalities, and all expenditures of public funds, more directly responsive to the wishes of the people as expressed by their elected representatives...

The Commission fulfills this charge by listening to the public, consulting with the experts and conferring with the wise. In the course of its investigations, the Commission typically empanels advisory committees, conducts public hearings and visits government operations in action.

Its conclusions are submitted to the Governor and the Legislature for their consideration. Recommendations often take the form of legislation, which the Commission supports through the legislative process.

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Letter from the Chair

June 15, 2020

The Honorable Gavin Newsom
Governor of California

The Honorable Toni Atkins
Speaker pro Tempore of the Senate
and members of the Senate

The Honorable Shannon Grove
Senate Minority Leader

The Honorable Anthony Rendon
Speaker of the Assembly
and members of the Assembly

The Honorable Marie Waldron
Assembly Minority Leader

DEAR GOVERNOR AND MEMBERS OF THE LEGISLATURE:

Last year the Little Hoover Commission initiated a review of California's role in identifying and combatting labor trafficking, and in assisting victims/survivors of this type of human trafficking. The following report details our initial findings and recommendation.

The Commission found that California's response to human trafficking thus far has focused principally on combatting sex trafficking, particularly among minors. While the Commission recognizes that this critical work must continue, we encourage state leaders to build on and expand those efforts to also target labor traffickers.

In this report, we examine what is known about the extent of the problem in California and find that little authoritative data exists to explain where and how frequently this crime occurs across our state. We also explain how labor trafficking is a form of human trafficking that often is hidden, sometimes in plain sight. But that the consequences of this crime are severe for the men and women forced to endure exploitative work, whether in a home, a restaurant, a building site, or a factory. The Commission recommends California create an entity to coordinate anti-trafficking activities statewide, as other states have done, and suggests remedies to enhance our understanding of this crime and our ability to fight it.

Over the next several months, we will continue to explore specific strategies the state can employ to strengthen its response to labor trafficking and intend to issue subsequent work later this year.

The Commission respectfully submits this work and stands prepared to help you take on this challenge.

Sincerely,

A handwritten signature in black ink, appearing to be 'P. Nava'.

Pedro Nava, Chair
Little Hoover Commission

■ Executive Summary

Human trafficking is a form of modern slavery. Victims are denied their fundamental freedom, subjected to oppressive and horrifying conditions, and often denied even minimal pay. They are subjected to sexual exploitation or preyed upon for the product of their labor, or both. Traffickers target the most vulnerable – children, immigrants, and others with few ways of supporting themselves or finding help. Victims' stories are heartbreaking and demand a response.

In California and elsewhere, much of the focus of law enforcement has appropriately been on combatting sex trafficking, particularly among minors, and the Commission emphasizes that this work must continue. But we also believe the state can and must do more to respond to labor trafficking. California must establish a new coordinating body to orchestrate the fight against all forms of this heinous crime and collect relevant data so we can make informed decisions about our progress. This report outlines the need for such a body and our recommendations for how it might be constituted. We anticipate subsequent reports on labor trafficking later this year that will address other detailed policy recommendations to strengthen California's struggle against one of our society's most distressing crimes.

Background

Human trafficking involves the use of force, fraud or coercion to deprive a victim of his or her liberty for the purpose of obtaining labor or sexual services. Researchers typically divide human trafficking into cases of sex trafficking or labor trafficking or both (cases in which the victim is forced to provide both sex and non-sexual labor). This study focuses on the state's response to labor trafficking, as opposed to cases that principally involve sex trafficking. Although trafficking typically involves other crimes, laws specifically banning trafficking are shockingly new, enacted at the federal level in 2000 and in California in 2005.

Labor trafficking victims may be men or women, young or old, native-born citizens or immigrants. However, a few commonalities are apparent. Most victims are in the prime working years of 18 to 40. Many are immigrants who have entered the country legally to perform some kind of temporary work and become unauthorized due to their trafficking. Research suggests that victims forced into domestic servitude are more likely to be women, while those in agricultural work are more likely to be men. Some research suggests that runaway and homeless youth are especially vulnerable.

The Extent of the Problem in California is Unknown

There is little authoritative data about the precise extent of labor trafficking in California. The United States is believed to be among the most common destination countries for trafficking, and California among the most common destination states. Limited data available demonstrates this crime takes place within California communities, but is not comprehensive enough to say with certainty exactly where and in which industries this crime occurs and who is likely victimized. A study in San Diego identified labor trafficking in the construction, janitorial and landscaping industries, but the problem clearly exists beyond border communities. State-funded programs report significant labor trafficking in a wide variety of counties in Northern California, Southern California, and the Central Valley. The Coalition to Abolish Slavery and Trafficking estimates a detailed study of the prevalence of human trafficking in California would cost approximately \$3 million to complete.

California's Response Has Focused on Just Part of the Problem

In the years since the state criminalized human trafficking, it has strengthened penalties for

traffickers, encouraged training to identify trafficking, and implemented other reforms. Often however the state's efforts have focused principally on sex trafficking rather than labor trafficking. And while a variety of state agencies play a role in combatting human trafficking, the state lacks a coordinated strategy to target this crime. By contrast, some other states, including Colorado, Washington, and Ohio, have created coordinating agencies designed to strengthen efforts to stop trafficking. Within California, innovative local leaders have created effective anti-trafficking task forces.

The Commission believes the creation of a new coordinating council is a critical first step in understanding more about this extraordinarily serious crime and strengthening California's response.

The Commission's Recommendation

The Commission believes it is past time for California to create a mechanism for coordinating the anti-trafficking efforts of all government agencies – state, local, and federal – and non-governmental organizations that do critical on-the-ground work to identify victims and help survivors. There must be a hub to coordinate efforts, collect data, increase public awareness, and share strategies to fight and prevent all forms of this crime.

To accomplish these goals, the Commission recommends that the state create the California Anti-Human Trafficking Council within the Governor's Office. The Council should be broad-based, and should include representatives of law enforcement, health and human service agencies, victims advocates and others. It should include state and local representatives and reflect the diverse regions and populations of California. Last, it should be provided with adequate staffing and meet with sufficient frequency to fulfill its mission. This mission should include, among other tasks, developing public awareness, collecting data, improving training guidelines, and developing standardized screening tools for industries in which trafficking is prevalent.

■ Introduction

California has made great strides in fighting human trafficking, but more must be done. Public awareness often focuses on cases in which people are trafficked for purposes of sexual exploitation. But the Commission learned that a significant but unknown number of victims are preyed upon not for sex, but so that others may benefit from their labor, whether in factories, fields, or family homes. Recognizing the need to better understand the conditions that allow labor trafficking to flourish largely undetected, in November 2019 the Commission launched its review of the state government's role in combatting this crime.

The coronavirus pandemic hit in the midst of our review, and experts predict that the resulting economic conditions will only exacerbate labor trafficking. Low-wage laborers may be forced to take whatever work will put food on the table, even if they are not properly compensated. Traffickers will exploit workers' desperation. Even public health directives to shelter-in-place may drive vulnerable workers further underground, isolating them from friends and family and unintentionally reinforcing restrictions traffickers often use to control workers. Although solid numbers are not yet available to document an increase, the Commission expects that this problem will worsen as the economy suffers.

Even before the pandemic, California had almost no data reflecting the extent of labor trafficking in the state. No agency collects comprehensive data on arrests or prosecutions for the crime. No agency was able to tell the Commission how many Californians might be trafficked each year. This lack of information only emphasizes the need for coordination of the state's anti-trafficking activities. We hope that policymakers will move swiftly to create a new structure that will gather reliable data, foster a more coordinated statewide response, and treat all forms of trafficking equally. Building on its initial research, the Commission anticipates issuing reports later on ways to improve detection, investigation, and

prosecution of labor trafficking.

Background

WHAT IS LABOR TRAFFICKING?

Human trafficking is a modern form of slavery that involves depriving or violating the personal liberty of another with the intent to obtain forced labor or sex. Researchers typically divide human trafficking into cases of sex trafficking or labor trafficking or both (cases in which the victim is forced to provide both sex and non-sexual labor). This report focuses on the state's response to labor trafficking, as opposed to cases that principally involve sex trafficking.

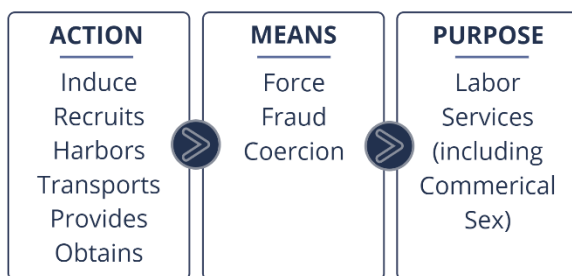
Laws specifically prohibiting human trafficking are relatively new. The federal government first introduced penalties for sex and labor trafficking in the Trafficking Victims Protection Act of 2000. Several years later, in 2005, California made all forms of human trafficking a felony and established civil and criminal penalties for forced labor.¹ The state's human trafficking laws are now defined in California Penal Code, Section 236.1. Prior to the enactment of these laws, prosecutors could apply other California statutes to human trafficking cases, such as laws against involuntary servitude, false imprisonment, or kidnapping, but no statute specifically prohibited trafficking.

Key to differentiating labor trafficking from other serious crimes, such as labor exploitation or smuggling, is the means through which the crime is committed. Labor trafficking involves an action such as recruiting, harboring, transporting or providing a person for the purpose of providing labor or services. But trafficking cases must also involve force, fraud or coercion to deprive the victim of his or her liberty – a component that might or might not be present in other crimes.

Labor trafficking takes several forms, including debt bondage, when an individual is compelled to

work to repay a real or perceived debt; involuntary servitude, where an individual is trapped in service and fears some form of retribution if he or she were to leave; domestic servitude, where an individual is forced to live and work in a private residence, sometimes without access to his or her personal legal documents as a means to prevent leaving; and forced child labor where a minor is unable to leave.² Victims may be held against their will, may not be allowed to leave the premises, or may be housed in a closed or remote location. They may be forced to work in poor conditions for little or no pay, in urban or rural settings, alongside or within legitimate businesses, behind locked doors or hidden in plain sight.

The Elements of Human Trafficking



Source: Paul Chang, Western Regional Anti-Human Trafficking Coordinator, U.S. Department of Labor. October 16, 2019. Personal communication with Commission staff. On file.

Trafficking profits from the vulnerable, and exacts a cost from victims and their families through loss of freedom, physical and emotional trauma, loss of wages, or forced criminalization. In addition to these egregious human rights violations, forced labor exacts a broader societal cost in terms of unpaid income taxes and a lack of contributions to the workers compensation and unemployment insurance systems. It affects the state's already impacted criminal justice system and adds to the responsibilities of public health and welfare systems. It unfairly forces legitimate businesses to compete against others who don't play by the rules. And government's inability to address these crimes may contribute to a sense of public uncertainty and distrust.³

Data is not available to precisely determine the total fiscal impact of forced labor in California, but estimates of unpaid wages alone suggest the costs are significant. The International Labour Organization estimates approximately \$19.6 billion in unpaid wages to people forced into labor globally.⁴ Closer to home, one study found labor trafficking may cost the State of Texas approximately \$600 million annually in lost wages from workers in three industries – agriculture, construction, restaurant/food services.⁵ Given the size and diversity of California's economy, the costs here could be staggering.

WHO ARE LABOR TRAFFICKERS AND WHO ARE THEIR VICTIMS?

Characteristics of Labor Traffickers. Research suggests there is not one "type" of labor trafficker. One study – a review of 122 labor trafficking victims' records from direct service providers in four sites across the U.S. – found that the ethnicity, immigration status, age, gender, and role (recruiter, employer or direct supervisor, business owner) of traffickers varied by the type of industry in which the exploitation took place. In this review, about half of the perpetrators identified had previously been arrested, and nearly a quarter were associated with weapons or sexual abuse; very few were associated with drugs or drug trafficking.⁶ Another study found similar diversity among perpetrators, but suggested that many perpetrators held legitimate jobs, the majority in service industries such as truck or taxi driving, home repair, or restaurants.⁷

Characteristics of Labor Trafficking Victims.

Similarly, there is not one "type" of labor trafficking victim. Preliminary research suggests victims of labor trafficking can include men, women and transgender individuals, adults and minors. Some industries seem to recruit more victims of certain genders. For example, research suggests that victims of domestic servitude are more likely to be women, while victims of forced agricultural labor are more likely to be

Survivor Stories: Angela

Angela was a young girl in the Philippines with aspirations to work in healthcare to support her family. When she was older and seeking work, a friend of a friend told her about an opportunity to become a caregiver in the U.S. and helped her enroll in Taekwondo classes to earn a certificate and black belt, and ultimately, obtain a sports visa to come to the U.S. Upon arrival, she was placed in a licensed nursing home facility. Her employer confiscated her passport and told her that she owed \$12,000 and had to work for 10 years to repay her debt. Angela lived at the facility, working long shifts without time off or breaks, and moving her belongings when inspectors came to visit. Her employer falsified timesheets and obtained for her a false social security number and identification. Angela was unaware of U.S. labor protection laws and believed she was working off her debt. A neighbor who saw her regularly walking elderly patients around the block noticed she never seemed to get time off and eventually called the F.B.I. Angela didn't realize she was a trafficking victim until she connected with other survivors and now she serves as an advocate to raise awareness about labor trafficking and its impact to individuals and the state.⁹

men.⁸ Victims come from a wide range of educational backgrounds, some with little formal education and others with college and graduate degrees.¹⁰ Most labor trafficking victims are at prime working age, between 18 and 40 years old.¹¹ The majority originate from another country and enter the United States legally to perform some kind of temporary work. Many victims became unauthorized—overextending

the time allowed on their visa—by the time they escape or are freed.¹² A significant number of victims from two labor trafficking studies learned about job opportunities through their existing relationships or social network (for example, through acquaintances, friends, family members, or romantic partners).¹³

Though even less research on child victims of labor trafficking is available, some evidence suggests that runaway and homeless youth, as well as foster children, are particularly vulnerable.¹⁴ A study of human trafficking among homeless youth aged 17 to 25 in 10 cities, including Los Angeles and Oakland, found that eight percent of the youth had been victims of labor trafficking. These transitional age youth were forced to work in factories, agriculture, international drug smuggling, commission-based sales, or domestic servitude. Some also experienced sexual exploitation.¹⁵

Limited Data on the Extent of Labor Trafficking in California

Labor trafficking continues to be a crime that is not well understood or recognized.¹⁶ There is little authoritative data about the extent of labor trafficking in California and elsewhere. On a global scale, research from the International Labour Organization estimates that of the 20.9 million forced laborers worldwide, 68 percent are victims of forced labor exploitation, primarily in agriculture, construction, domestic work, manufacturing, mining, and utilities. (An additional 22 percent are victims of sexual exploitation and the remaining 10 percent are victims of state-imposed forms of forced labor such as prisons, or work imposed by military forces.)¹⁷

The U.S. is believed to be one of the top destination countries for human trafficking, and California is one of the nation's top four destination states.¹⁸ Experts note that California is particularly vulnerable to human trafficking because of its major harbors, airports, coastlines, proximity to international

borders, large economy and significant immigrant population.¹⁹ The Los Angeles-based Coalition to Abolish Slavery and Trafficking – one of the largest service providers for human trafficking victims nationally – reports that nearly half of their clients (42 percent) are victims of labor trafficking or labor and sex trafficking (6 percent). Furthermore, available data from studies in communities across the state show labor trafficking may be as prevalent, if not more so, than sex trafficking in certain locations.²⁰

Limited data – from investigations of particular industries and victims and survivors themselves – demonstrate with certainty that labor trafficking is present in California.

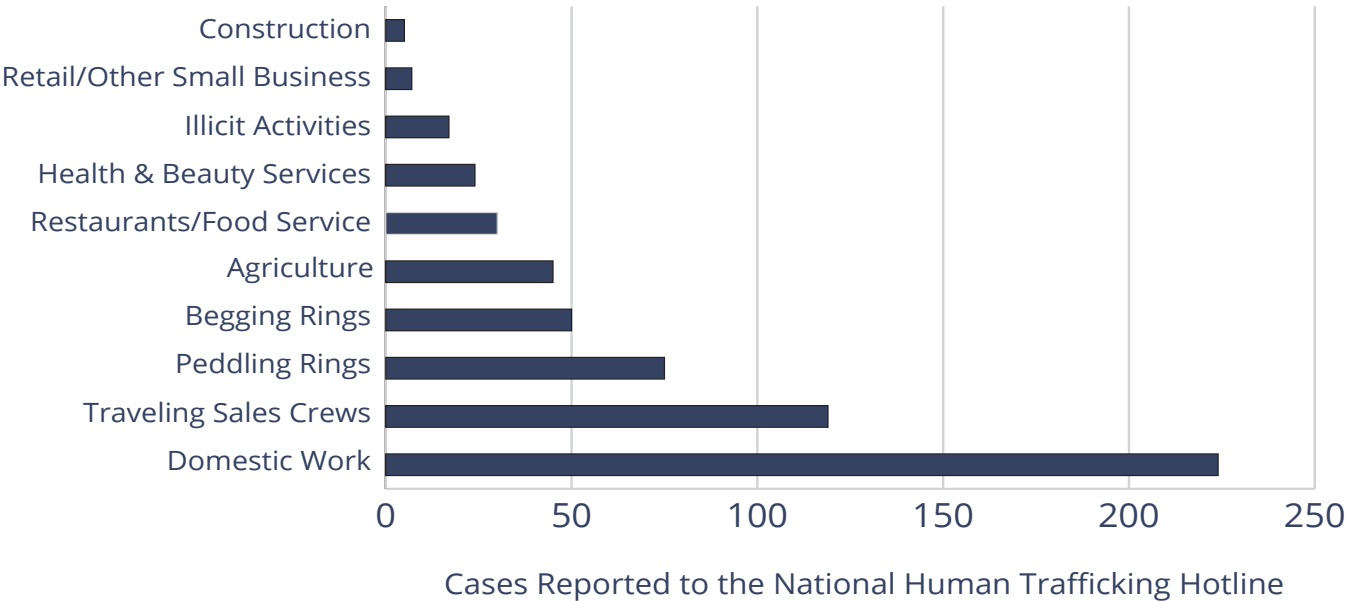
LABOR TRAFFICKING IS PRESENT IN A VARIETY OF INDUSTRIES ACROSS THE STATE

Data from the National Human Trafficking Hotline and Polaris BeFree Textline—which only includes data about incidents reported—shows that since 2007, more than 9,200 human trafficking cases have

been reported in California. Though most California cases reported to the hotline involve sex trafficking, hotline data suggest labor trafficking occurs in the state in many forms. Between 2012 and 2019, domestic work, traveling sales crews, peddling or begging rings, and agricultural work were among the top industries for labor trafficking incidents in California that were reported to the hotline.²¹

Another study, conducted between 2010 and 2011 with funding from the National Institute of Justice, found particularly high rates of trafficking violations and labor abuses in the construction, janitorial/cleaning, and landscaping industries in San Diego. The study, which sought to estimate the prevalence of trafficking among unauthorized Spanish-speaking migrant laborers in San Diego County, estimated that more than 30 percent of migrant workers in the area, or 38,458 individuals, were victims of labor trafficking. Extrapolating from this data, researchers estimate there could be as many as 495,293 labor trafficking victims among unauthorized immigrants in California.²²

Top Industries for Labor Trafficking in California, 2012-2019



Source: Polaris. National Human Trafficking Hotline and BeFree Textline. California Statistics. Accessed at www.humantraffickinghotline.org/state/california.

LABOR TRAFFICKING IS PRESENT IN COMMUNITIES ACROSS THE STATE

Data from victim service providers indicates that the problem is present in communities across California. As many as 7,300 labor trafficking victims sought help from one of two human trafficking grant programs administered by the California Governor's Office of Emergency Services between 2015 and 2019.²³ These cases arise throughout the state. Data from the Human Trafficking Victim Assistance Program shows a significant level of labor trafficking in counties across California, including San Francisco, Santa Clara, Sacramento, Ventura, Los Angeles, Fresno, Alameda, and San Diego.²⁴

Service providers caution these figures likely underrepresent the extent of labor trafficking survivors in California, in part because of the many barriers that exist for victims to seek help. Jamie Beck, president of a San Diego-based nonprofit called "Free to Thrive," told Commissioners that individuals may not know they are victims or know where to find help, they may fear harm from traffickers or fear deportation, and they may experience language barriers or physical isolation. Additionally, Beck said service providers may lack capacity or have inadequate services to help these individuals themselves or not have established partnerships to coordinate with other providers who could help.²⁵

WHAT WOULD IT TAKE TO BETTER TRACK THE PREVALENCE OF LABOR TRAFFICKING STATEWIDE?

California has not invested in a study to understand the extent of human trafficking in our state. Therefore, we do not know how much trafficking occurs, and we lack data necessary to develop a strategic response or measure its effectiveness. (The state's 2019-20 budget included a \$1.5 million General Fund appropriation to conduct a three-year study to determine the scope of sex trafficking in Sacramento County.²⁶)

Labor Trafficking Likely Underrepresented in Human Trafficking Legal Research

Legal research suggests labor trafficking cases are underrepresented in the criminal justice system, which has focused on sex trafficking, but the civil justice system may be helping to get justice for victims. At the federal level, approximately 95 percent of federal indictments for human trafficking between 2009 and 2017 involved sex trafficking. Between 2003 and 2018, a similar percentage of civil human trafficking cases involved labor trafficking.²⁷ Similar data is not readily available to say how California's courts have responded to labor trafficking cases, although researchers at Loyola Marymount University's Loyola Law School in Los Angeles are working to maintain a database of civil lawsuits brought by labor trafficked plaintiffs, filed in California.²⁸ Research also is not available to identify labor trafficking cases that might have been pursued on a different charge. A database of labor trafficking cases could be helpful for a variety of audiences: prosecutors interested in pursuing labor trafficking cases to study successful strategies, investigators to identify hotspots in locations or industries, and service providers to target outreach to potential victims.

At least one other state—Ohio—has tapped researchers to conduct an initial estimate of the statewide prevalence of human trafficking, with a focus on youth victims. Researchers from the University of Cincinnati culled data from select government agency sources, aggregate reports, and newspapers to estimate the number of known trafficking victims and at-risk individuals across the

state.²⁹ Conservative estimates identified more than 1,000 known victims and 4,200 at-risk individuals over a one-year study period. Approximately 13 percent of the individuals were identified as labor trafficking victims, as opposed to sex trafficking victims. Researchers noted important limitations of the investigation: existing data systems across agencies could not produce comprehensive, comparable data; data from non-profit organizations and health care providers was not included, but if available, could help produce a more complete picture of who may be vulnerable to trafficking in the state; the estimate did not include hard-to-reach or “hidden” populations who have not been identified as trafficking victims. Researchers recommended creating a secure data repository and developing a uniform reporting system for agencies that serve vulnerable populations, among other suggestions.³⁰

The Coalition to Abolish Slavery and Trafficking estimates conducting a similar statewide human trafficking prevalence study in California would cost \$3 million and take approximately three years to complete.³¹ The organization notes that the price tag takes into account some of the challenges associated with researching labor trafficking, such as its time consuming nature and the need to build a wide range of trusted partnerships in order to interview potential victims.³²

California’s Response to Labor Trafficking

In the years since California lawmakers first criminalized human trafficking, the state has added additional statutes to strengthen penalties for traffickers; encourage training to identify traffickers; strengthen asset forfeiture statutes; require posting of human trafficking resources in certain locations; and provide victims financial resources, access to education, and other services.³³ However, with few exceptions, these efforts have largely focused on targeting sex traffickers, protecting sexually exploited

children, and providing services to victims of sex trafficking.³⁴

California, like many other states, is still developing a systemic and holistic response to human trafficking. “The unfortunate truth is that no jurisdiction in the U.S. is successfully and comprehensively addressing labor trafficking,” Jean Bruggeman, Executive Director of Freedom Network USA, told Commissioners. She explained that an effective response to human trafficking requires a broad focus on the systems and conditions that put people at risk for trafficking, the traffickers who exploit others, and the supports and services available to help those at risk or who have been harmed.³⁵

“The unfortunate truth is that no jurisdiction in the U.S. is successfully and comprehensively addressing labor trafficking.” - Jean Bruggeman, Executive Director of Freedom Network USA

Labor trafficking is difficult to identify. This crime occurs in multiple industries and settings, within households, and sometimes alongside or within legitimate businesses. Victims could include a restaurant worker who sleeps in a locked storage facility and is unable to leave the store; field laborers whose wages are confiscated to pay back their trafficker for food, clothing, and shelter; or a homeless individual forced to collect recyclables and turn over their profit for fear of violence. The crime becomes harder to identify when victims are moved frequently from location to location for short-term or seasonal projects. Labor trafficking also can be difficult to identify if survivors do not come forward. Many victim advocates suggest that foreign-born

Survivor Stories: Carmen and Elena

Carmen and Elena were living in Tijuana and looking for work when they met a woman from the neighborhood who encouraged them to travel to Fresno. She said she could find them well-paid work for an entire season and provide a place to stay with her family. Entering the U.S. on travel visas, they stayed with the woman and her family in a small apartment for several weeks before they – and several other workers brought to Fresno under similar circumstance – were told to leave. They had no money, no work, no place to stay, and knew no one who could help, but were put in contact with an employer who loaned them money for a place to stay and took their identification documents as collateral. He offered them “piece work,” and told them they would earn \$10 an hour. They worked 9 hours a day, 6 days a week, and received pay in cash, but in amounts less than they expected. He charged them for transportation, taxes, and check cashing fees. He began threatening them, insisting they work faster or face pay deductions. He forced them to move again, incurring more debt in the relocation. Carmen wanted to return to Tijuana to see her spouse who had become injured, but initially could not get her documents back – her employer did not trust her to return and repay her debt to him. He relented only after threatening to report her to immigration. A co-worker saved to repay his debt. He tried to quit, but was threatened again with immigration. Carmen, Elena, and their co-worker sought help from the United Farm Workers, who eventually called in police, the F.B.I., and victim service providers to rescue and “extract” five victims. Theirs may be the first successfully prosecuted agricultural labor trafficking case in California.³⁶

survivors may be particularly reluctant to identify themselves to authorities for fear of deportation or harm to themselves or their families.

Law enforcement often does not have a strong role in identifying labor trafficking. In part, experts suggest that this is because law enforcement traditionally approaches human trafficking through a vice enforcement model where the focus is on fighting prostitution.³⁷ Minimal training on labor trafficking is available for police officers and public safety dispatchers. The Commission on Peace Officer Standards and Training provides optional specialty training on human trafficking for law enforcement officers, though the labor trafficking component is minimal; human trafficking is only tangentially mentioned in mandatory basic training for officers in the context of prostitution and domestic violence.³⁸ Experts also say that there is not always a clear line

between labor trafficking and other crimes and suggest that it may sometimes be misidentified as another related crime such as smuggling. But they say it is important to prosecute such cases as trafficking to build precedent, to get maximum restitution for victims, and to begin to compile a more accurate account of the prevalence of this crime.

Labor trafficking cases also are difficult to prosecute, for many reasons. The cases are often complicated, and compiling evidence can be time-consuming and costly. Multiple jurisdictions may need to share information. Victims may mistrust law enforcement because of their immigration status or personal history. They may fear retribution from their trafficker. They may even worry they will be prosecuted for crimes they were forced to commit as part of their trafficking.³⁹ Police and prosecutors

may be unfamiliar with industries where trafficking occurs, because of this inexperience, cases may be dismissed as an “employment problem.”⁴⁰ Pursuing a case may require prosecutors to learn new aspects of the law, such as unemployment compensation fraud, tax fraud, workers compensation premium fraud, or identity theft.⁴¹ Finally, once in court, there is little precedence for successfully proving coercion – an element of human trafficking – to a jury, particularly if a victim experienced no physical harm. Even if a prosecutor proves a human trafficking violation, securing the maximum sentence for a crime without physical force or violence may be difficult, as evidenced by an agricultural labor trafficking case in Fresno County where the court chose the lesser in a range of penalties during sentencing specifically because the defendant did not use physical force or violence (See Survivor Stories: Carmen and Elena).⁴²

SEVERAL AGENCIES HAVE A ROLE IN COMBATTING LABOR TRAFFICKING, BUT CALIFORNIA LACKS A STATEWIDE ANTI-TRAFFICKING STRATEGY

Several state departments have responsibility for identifying and responding to labor trafficking and helping victims of the crime. In brief, the Department of Justice and the Department of Fair Employment and Housing respectively are authorized to pursue criminal and civil labor trafficking cases; the California Victim Compensation Board and the California Governor’s Office of Emergency Services provide assistance to human trafficking victims; the Labor Commissioner registers foreign labor contractors; and the Department of Industrial Relations investigates labor law violations and leads the multi-agency Labor Enforcement Task Force. Other departments have responsibility for responding specifically to sex trafficking, such as the Department of Social Services’ Child Trafficking Response Unit, which administers the state’s Commercially Sexually Exploited Children program and funds county child welfare and probation agencies to help children at risk of becoming commercially sexually exploited.

(The Commission will further explore the specific roles and functions of these entities and others as they relate to labor trafficking in a subsequent report.)

Despite these efforts, California lacks a coordinated strategy to combat human trafficking, let alone to pursue labor trafficking specifically. We have no permanent entity to coordinate the state’s overall fight against human trafficking or to develop information-sharing protocols between state organizations and their local and federal partners. Twice since 2007, the Department of Justice led a temporary statewide coordinating body to investigate and propose cross-agency strategies to address human trafficking. But these bodies disbanded after issuing recommendations.⁴³ Legislative efforts to create permanent anti-trafficking task forces failed in 2016 and 2019. The first measure died in the Legislature and Governor Newsom vetoed the second.⁴⁴

OTHER STATES HAVE DESIGNATED ORGANIZATIONS TO COORDINATE STATEWIDE ANTI-TRAFFICKING EFFORTS

A review of five other states – Colorado, Florida, Minnesota, Ohio, and Washington – found that all largely have focused their anti-human trafficking resources to combat sex trafficking, but some are now moving toward creating a response to labor trafficking. These states face similar challenges to California: there is little awareness about labor trafficking, data is extremely limited, and cases are difficult to prosecute. Yet, each has formed something California still lacks: a permanent organization dedicated to coordinating statewide anti-human trafficking policy and programs. (These efforts are summarized in Appendix A.)

Most of the states reviewed have used their coordinating efforts to focus primarily on curbing sexual exploitation, particularly of youth, but many are now using this foundation as a springboard to

State Law Defines Many Key Elements of the Colorado Human Trafficking Council

Legislative Mission: To bring together leadership from community-based and statewide anti-trafficking efforts, to build and enhance collaboration among communities and counties within the state, to establish and improve comprehensive services for victims and survivors of human trafficking, to assist in the successful prosecution of human traffickers, and to help prevent trafficking in Colorado.

Composition: 35 members from across the state, reflective of “urban and rural areas of the state and a balance of expertise, of both governmental and non-governmental, in issues of human trafficking.” Council membership represents a wide range of state agencies, law enforcement and prosecutors, trafficking survivors, regional coalitions, academia, and non-profit organizations.

Staff and Funding: In fiscal year 2020, the Council’s budget totaled \$1.3 million to support 3 full-time staff and contract with a marketing firm to launch a public awareness campaign: \$311,000 in state funding for 2.5 FTEs and administrative costs of running the organization; \$217,374 annually through a three-year federal grant for .5 FTEs and statewide training; \$813,865 in grant funding entirely dedicated to a new statewide public awareness campaign.

Mandates:

- Standards for victim services providers
- Recommendations for statutory changes
- Develop a statewide public awareness campaign
- Develop training standards and curricula
- Identify best practices for the prevention of human trafficking
- Data collection on the incidence of human trafficking and the efforts of law enforcement
- Publish an annual report
- Research and pursue funding opportunities to fulfill council goals

Coordination: The council meets monthly and holds an annual retreat to establish priorities and advisory committees. Advisory committees include the data and research task force, prevention task force, public awareness working group, training standards working group, standards and certification task force, grants work group, underserved populations task force, and labor trafficking task force.

Sources: Maria Trujillo, Human Trafficking Program Manager, Colorado Human Trafficking Council. January 30, 2020. Presentation to the Little Hoover Commission Advisory Committee Meeting. Los Angeles, CA. Also, Maria Trujillo. March 4, 2020. Personal communication with Commission staff. Also, Colorado Human Trafficking Council. Council Archives. Accessed March 2, 2020 at <https://drive.google.com/drive/folders/0BwD-P3uff065UW14T1RnMW93c1k>.

learn more about how to combat labor trafficking. Washington, Minnesota, and Colorado offer a few examples:

Washington lawmakers created the Washington State Task Force Against the Trafficking of Persons in 2002, establishing the first statewide anti-trafficking task force in the nation. The task force, which meets several times a year to develop recommendations for the Governor and Legislature, works toward several goals: to increase collaboration and improve statewide efforts, to prevent all forms of human trafficking, and to better respond to all forms of trafficking.⁴⁵ The overwhelming focus has been on sex trafficking, with a special emphasis on commercial sexual exploitation of children. Yet in response to an increased case load in labor trafficking survivors, the task force is now developing specific recommendations for a statewide response.⁴⁶ Recent task force recommendations include developing industry-specific training on both labor and sex trafficking, enacting legislation to allow victims to access state funded food and health assistance or expunging victims' criminal records, and developing a statewide services website that provides a list of resources for human trafficking survivors.⁴⁷

Minnesota's Statewide Human Trafficking Task Force, created within the Department of Health by statute in 2006, coordinates a multidisciplinary, statewide response to human trafficking. The task force recently launched an initiative on labor trafficking and a committee is gathering information to study the occurrence of labor trafficking in the state and to identify the individuals and organizations who work on the issue.⁴⁸ Staff say they are working to increase education and awareness about child labor trafficking and integrate a response into existing anti-trafficking programs. "We've been trying to incorporate language of human trafficking – not just sex trafficking – as a way to not leave labor as an afterthought," a representative from Minnesota

told Commission staff. "We developed guides about trafficking specific to law enforcement, media, child protection, survivors, and they all contain information on both. We're trying to raise awareness so people stop thinking about it as a dichotomy rather than one crime."⁴⁹ Created in 2017, the state's labor trafficking protocol guidelines to help identify and respond to child labor trafficking victims include sector-specific protocols for law enforcement, prosecutors, health care, victim advocates, the child welfare system and others.⁵⁰

Colorado stands out for its burgeoning efforts to develop a strategic, statewide campaign to target labor trafficking. In 2014, lawmakers established a Human Trafficking Council within the Department of Public Safety to bring together leadership from community-based and statewide anti-trafficking organizations, improve collaboration and services for survivors, and assist in successful prosecution of human traffickers.⁵¹

Although the council was created to cover all forms of trafficking, in practice it was challenging to focus on labor because the majority of people involved had more experience with sex trafficking, Maria Trujillo who staffs the council, said.⁵² To build capacity, in 2017, the Colorado Human Trafficking Council dedicated several of its monthly meetings to better understand the populations vulnerable to labor trafficking in Colorado and begin strategic planning to improve identification and investigation of these cases.⁵³ To do this strategic work, the council formed a labor trafficking task force to devise strategies to increase protections for populations most vulnerable to labor trafficking, modify state law to aid prosecution efforts, and raise awareness of labor trafficking.⁵⁴ Between 2018 and 2019, the labor trafficking task force developed 14 recommendations, including education for temporary work visa holders about their rights under state laws, statutory amendments to more clearly define labor trafficking, and public education strategies to raise

Survivor Stories: Renuka

As a young child in India, Renuka worked as a household servant, but said she was cared for by other servants and had freedom to leave the house. By age 11, her employers obtained a visa to bring her to the U.S., seemingly to pursue a dance scholarship. However, once here, she labored as an indentured servant. Prevented from leaving the house – even to attend school – she spent her days and nights cooking, doing housework, and caring for the family and their two children. She found herself isolated, unable to speak English, and soon experienced her first panic attack. Renuka watched American cartoons to learn English and began devising her escape – starting with finding her identification documents, which her employer had hidden. After finding her passport, Renuka walked out the front door to a nearby park where a woman found her and called the police. With the help of a translator, Renuka was not made to return to her employer and landed in a group home where she received help from social services and immigration. She was placed in a loving foster home and eventually adopted by her foster mom. Now, decades later and with the encouragement of her own daughter, Renuka is beginning to share her survival story.⁵⁶

awareness of the crime and its impact on victims and the community.⁵⁵

LOCAL GOVERNMENT LEADERS PROVIDE A MODEL FOR ANTI-TRAFFICKING COORDINATION

Though most regional anti-human trafficking efforts continue to focus on fighting sexual exploitation,

efforts by a couple of forward-thinking local government leaders demonstrate how it is possible to build a strategic response to better identify and detect labor trafficking. In both Alameda County and the City of Los Angeles, the strategy involves maintaining collaborative partnerships among key law enforcement agencies, community groups, service providers and victim advocates, as well as other types of local governmental regulators, such as those that inspect businesses or have entry into homes to do their work, to strategically identify and fight labor trafficking cases.

The Alameda County District Attorney first built a vertical prosecution unit to pursue sex traffickers in 2005. Modeled on its success, in 2016, District Attorney Nancy O'Malley created a similar unit to respond to an increase in labor trafficking complaints. The labor trafficking unit is currently handling 19 pending cases and more are under investigation. In 13 successfully prosecuted cases the county identified 727 exploited workers and more than \$8.7 million in restitution. In the last two years alone, the District Attorney has reviewed 467 cases of wage theft, requiring partnership with state agencies like the Department of Industrial Relations, the California Department of Labor Relations, the Department of Insurance, the Department of Social Services, and various state licensing agencies.⁵⁷

Under District Attorney O'Malley's leadership, the office also joined a multi-disciplinary, regional labor trafficking task force to combat human trafficking, Alameda County United Against Human Trafficking. The labor task force comprises 30 individuals from various victim service organizations, legal aid, immigrant services, and others, and works to build relationships among those in the community who might encounter exploited workers. Members provide education to community organizations and workers – such as hospital staff, social service workers, transportation officials – who might encounter trafficking victims, as well as outreach

California's Regional Human Trafficking Task Forces Still Predominately Focus on Combatting Sex Trafficking, But Are Interested in Pursuing Labor Trafficking With Guidance

Seven human trafficking task forces in California – in Contra Costa, Los Angeles, Orange, Riverside, Santa Barbara, Tulare, and Ventura Counties – currently receive funding from the U.S. Department of Justice to build capacity to combat human trafficking. The Department of Justice initiated this grant program to support local law enforcement agencies and personnel who may uncover trafficking situations or victims in their daily operations and create partnerships with victim services to ensure survivors receive help.⁵⁸ The money currently is awarded in two categories: capacity building and infrastructure development of multidisciplinary task forces or advancing operational effectiveness of existing task forces.⁵⁹

California's seven task forces receive approximately \$3.5 million annually over the course of the three-year grant period to coordinate around all forms of human trafficking.⁶⁰ However, the Los Angeles task force is the only one in the nation to have formed a subcommittee dedicated to combatting labor trafficking.⁶¹

In conversations with Commission staff, representatives from several of California's task forces indicated an interest in focusing more work on labor trafficking, but as one task force member said, "knowing where to start would be helpful." Some task forces, including those in Santa Barbara and Riverside Counties, try to emphasize issues of labor trafficking through outreach and education, but have primarily focused task force efforts on combatting sex trafficking. They say labor trafficking investigations take a lot of time and resources, and require a different sort of investigative approach than the sexual exploitation cases with which they are familiar; it is difficult to prioritize that work when there is a proliferation of reported cases of sexual exploitation. One task force coordinator explained the challenge: "I have one dedicated human trafficking investigator in my county. If he gets a report of a minor being sex trafficked, that moves to the top of the list." She said, "The civil abatement angle sounds like the only way to tackle [labor trafficking], but it's labor intensive and we haven't been able to get at it."

to code enforcement officers, animal control, and environmental health inspectors, all of whom have access to places law enforcement may not go without cause. The task force has developed a referral system to handle potential trafficking cases and meets regularly to develop best practices in enforcement of labor violations and providing appropriate victims services.

In Los Angeles, City Attorney Mike Feuer dedicated a team of three full-time staff to identify and prosecute all forms of human trafficking. Created in 2017, the Sex and Labor Trafficking Unit is empowered to bring forward criminal charges against labor traffickers, but also files both civil nuisance abatement lawsuits and actions against unlawful business practices. These types of civil lawsuits can yield large civil penalties and provide restitution for workers.

Beyond their prosecutorial work, the team also chairs the labor trafficking subcommittee of the Los Angeles Regional Human Trafficking Task Force. Working through the task force with federal, state, and local law enforcement, prosecutors, regulatory agencies, academics, economists, social and legal service providers, and private industries, this partnership allows the City Attorney's team to be more strategic in how it pursues labor trafficking. To raise awareness of the crime, the task force strategically tapped new partners to serve as "eyes and ears" in identifying possible cases. For example, the team has partnered with other city and county agencies to train various code inspectors (such as building or housing safety inspectors, and restaurant health inspectors) to help spot potential cases. Instead of waiting for victims to come forward for help, the labor trafficking subcommittee also is working to increase capacity for systematic detection of vulnerable populations that might be susceptible to labor trafficking. This includes establishing data sharing agreements among service providers and researchers to better understand how and where labor trafficking occurs in the Los Angeles region, and developing model maps to track the development of a labor trafficking enterprise through the various stages of victim recruitment to work placement.⁶²

Building A Comprehensive, Statewide Anti-Trafficking Network for California

California must build on its successes combatting sex trafficking to develop a cohesive response that addresses all forms of human trafficking. "One of the largest failures in the anti-trafficking movement is failing to give equal attention and resources to sex and labor trafficking," Kay Buck, CEO of the Coalition to Abolish Slavery and Trafficking, told Commissioners. "We fail survivors – and efforts to address human trafficking appropriately and comprehensively in our state – by primarily focusing

on sex trafficking, when available data clearly shows that labor trafficking is at least equally prevalent in California."⁶³

The Commission heard from key stakeholders, all of whom agreed that it is time to refocus and strengthen strategies to combat labor trafficking equally alongside sex trafficking. The economic uncertainty created by the coronavirus pandemic only exacerbates the urgency for action.

"One of the largest failures in the anti-trafficking movement is failing to give equal attention and resources to sex and labor trafficking." - Kay Buck, CEO of the Coalition to Abolish Slavery and Trafficking

"The challenges and opportunities for improvement lie in every area," San Diego County District Attorney Summer Stephan told Commissioners. From strengthening identification of victims to working with federal partners to ensure immigrants traveling to the U.S. have information about human trafficking and how to seek help, the strategies are plentiful. But she said a key opportunity is to consolidate efforts amongst government agencies and law enforcement, so victims are identified early and protected.⁶⁴

"Labor trafficking cases are unique and complex. Learning to effectively identify, investigate, and prosecute these cases requires specialized training and experience. Cases are currently rare," Jean Bruggeman said. She recommended a team with expertise and experience working cases that can support prosecutors and develop best practices for helping survivors.

The Commission will further explore some of these

specific strategies in subsequent reports, but a first step is to collect more information and build a statewide anti-trafficking network. California must develop a mechanism to coordinate the efforts of all relevant government agencies – at the state and local level, and with federal partners – and the critical organizations that work on-the-ground to identify victims and help survivors. There must be a hub for these leaders to coordinate how California should strategically respond to this crime and advise the Legislature and the Administration on the funding necessary to successfully combat trafficking. To capture efficiencies, specific functions must be coordinated and shared, specifically, data collection, public education and awareness messaging, best practices to assist victims, and strategies to fight and prevent this crime. The Commission's recommendation seeks to build this critical network.

Recommendation 1: The State should establish the California Anti-Human Trafficking Council within the Governor's Office to:

- Build and enhance collaboration among communities throughout the state and provide statewide technical assistance and support for anti-trafficking activities.
- Study and improve comprehensive services for victims and survivors of all forms of human trafficking.
- Assist in the successful prosecution of human traffickers.

The Council should include representatives of law enforcement, health and human services agencies, academia, labor, victim service providers, advocates, and survivors of all forms of human trafficking. It should include state and local representatives, and should reflect the diverse regions and populations of the state.

The Council should be provided with adequate staffing and meet with sufficient frequency to fulfill its mission. Specifically, it should:

- Conduct rigorous research to determine the prevalence of human trafficking in California. The research could be conducted directly or in partnership with academia and should identify industries and locations in which labor trafficking occurs, and which communities are most impacted by the crime.
- Compile research and establish a central database for human trafficking data that includes both incidents and prevalence, and the necessary information sharing protocols and agreements for use of this data.
- Develop public awareness campaigns to educate the public about all forms of human trafficking, with particular attention to highlighting the characteristics of labor trafficking and providing examples in various industries and culturally appropriate languages.
- Develop model training guidelines on victim identification that are trauma-informed and victim-centered.
- Assess California's capacity to provide trauma-informed services to human trafficking survivors, identify service gaps.
- Measure the efficacy and impact of programs designed to combat trafficking.
- Develop and maintain an up-to-date directory of existing resources for survivors of human trafficking.
- Recommend statutory changes necessary to facilitate prosecution of human traffickers and assist victims.
- Establish a labor trafficking subcommittee specifically to compile information on existing state resources dedicated to combatting labor trafficking; develop recommendations to systematically detect labor trafficking using data and other technologies; develop standardized screening tools and training curricula for various industries in which labor trafficking is prevalent;

develop best practices for local human trafficking task forces to address labor trafficking and assist victims/survivors, and develop legal tools and supports for prosecutors.

- Advise the Governor and Legislature on the specific actions, and funding, needed to achieve these tasks and annually report to the legislature a summary of council activities of the previous year.

After an appropriate period, the Legislature should conduct a sunset review of the Council and its accomplishments to determine whether it should continue to function as prescribed.

GET HELP

If you or someone you know is a victim of human trafficking, the National Human Trafficking Hotline can help. Call toll-free at 1-888-373-7888 or text at 233-733 (Be Free).

■ Appendix A: How Other States Organize to Combat Human Trafficking

Organization	Authorization	Membership	Location	Focus
Colorado Human Trafficking Council (2014)	Legislation (Colorado Revised Statutes, 18-3-505)	35 members include state and local agencies, law enforcement associations, service providers for victims of sex and labor trafficking, urban and rural social service departments, academia, community members	Department of Public Safety	All forms of trafficking; burgeoning labor trafficking programs
Florida Statewide Council on Human Trafficking (2014)	Legislation (Florida Statutes, 16.617)	15 members include law enforcement officers, prosecutors, legislators, experts in the field of health, education, and social services	Office of the Attorney General, Department of Legal Affairs	All forms of trafficking; emphasis on Commercial sexual exploitation
Minnesota Statewide Human Trafficking Task Force (2006)	Legislation (Minnesota Statute, 299A.78-299A.7957)	22 members include four state agencies, two federal agencies, county attorneys, sheriff and police chiefs associations; councils on Asian-Pacific Minnesotans and Chicano-Latino affairs, and service providers	Department of Health	All forms of trafficking; burgeoning labor trafficking response

■ Appendix A: Continued

Organization	Authorization	Membership	Location	Focus
Ohio Human Trafficking Task Force (2012)	Executive Order (Executive Order 2012-06K)	10 cabinet level appointees including departments of job and family services, agriculture, mental health and addiction services, education, Medicaid, youth services, public safety, health, state cosmetology and barber board, governor's office of health transformation	Department of Public Safety	All forms of child trafficking; burgeoning labor trafficking programs
Washington State Task Force Against the Trafficking of Persons (2002)	Legislation (Revised Code of Washington, 7.68.350)	38 members include four legislators, eight state agencies, a human trafficking survivor, representatives from 25 organizations	Department of Commerce	All forms of trafficking

■ Notes

1. AB 22, Lieber, Chapter 240, Statutes of 2005.
2. Kamala D. Harris, Attorney General. 2012. The State of Human Trafficking in California. Accessed August 26, 2019 at <https://oag.ca.gov/sites/all/files/agweb/pdfs/ht/human-trafficking-2012.pdf>
3. For additional information see: United Nations Office on Drugs and Crimes. An Introduction to Human Trafficking: Vulnerability, Impact and Action. New York, 2008. Accessed February 28, 2020 at https://www.unodc.org/documents/human-trafficking/An_Introduction_to_Human_Trafficking_-_Background_Paper.pdf. Also, Elizabeth Wheaton, et al. "Economics of Human Trafficking." International Organization for Migration. 2010. Accessed February 28, 2020 at <https://www.amherst.edu/media/view/247221/original/Economics+of+Human+Trafficking.pdf>.
4. International Labour Office. 2009. "The Cost of Coercion." Pages 30-32. Accessed February 4, 2020 at https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_106230.pdf.
5. Noel Busch-Armendariz, et al. Human Trafficking by the Numbers: The Initial Benchmark of Prevalence and Economic Impact for Texas. Accessed February 4, 2020 at <http://hdl.handle.net/2152/44597>. Note: A critique of the methodology for this study is available at <https://humantraffickingcenter.org/jumping-conclusions-unpacking-human-trafficking-numbers-methodology/>.
6. Colleen Owens, et al. Urban Institute and Northeastern University. October 2014. "Understanding the Organization, Operation, and Victimization Process of Labor Trafficking in the United States."
7. Arizona State University, Office of Sex Trafficking Intervention Research. February 2018. "A Four Year Analysis of Labor Trafficking Cases in the United States: Exploring Characteristics and Labor Trafficking Patterns."
8. Arizona State University. See endnote 7. Also, Colleen Owens. See endnote 6.
9. Angela Guanzon, Survivor Advocate. November 21, 2019. Written testimony to the Commission.
10. Colleen Owens. See endnote 6.
11. Colleen Owens. See endnote 6.
12. Colleen Owens. See endnote 6.
13. Arizona State University. See endnote 7. Also, Colleen Owens. See endnote 6.
14. Katherine Kaufka Walts, Center for the Human Rights of Children, Loyola University Chicago. "Child Labor Trafficking in the United States: A Hidden Crime." Social Inclusion, 2017, Volume 5, Issue 2, Pages 59-68.
15. Laura Murphy. Loyola University New Orleans, Modern Slavery Research Project. 2016. "Labor and Sex Trafficking Among Homeless Youth: A Ten-City Study Full Report."
16. Jean Bruggeman, Executive Director, Freedom Network USA. November 21, 2019. Written testimony to the Commission.
17. International Labour Office. 2014. "Profits and Poverty: The Economics of Forced Labour." On file. Page 7.
18. Kamala D. Harris. See endnote 2.
19. Coalition to Abolish Slavery and Trafficking. "The Issue." Accessed August 26, 2019 at <https://www.castla.org/human-trafficking/>
20. Kay Buck, CEO and Executive Director, Coalition to Abolish Slavery and Trafficking. November 21,

■ Notes Continued

2019. Written testimony to the Commission.
21. National Human Trafficking Hotline. California Statistics. Accessed February 14, 2020. <https://humantraffickinghotline.org/state/california>.
22. Sheldon X. Zhang, Ph.D. November 2012. "Looking for a Hidden Population: Trafficking of Migrant Laborers in San Diego County." Accessed August 7, 2019 at <https://www.ncjrs.gov/pdffiles1/nij/grants/240223.pdf>.
23. Gina Buccieri-Harrington, Assistant Director, Grants Management, California Governor's Office of Emergency Services. May 28, 2020. Written testimony to the Commission. Note: CalOES shows that 2,160 labor trafficking victims received support through the state-funded Human Trafficking Victim Assistance Program in program years 2015, 2016, and 2018, and that 5,207 labor trafficking victims received assistance across all programs administered by the department that receive federal Victims of Crime Act funds. The department notes that "data may contain duplicate counts of victims due to the possibility of a victim receiving services multiple times from one service provider, or from multiple service providers."
24. Coalition to Abolish Slavery. Demographics of Victims Served by Programs Funded by Cal OES Grants. November 2019. On file.
25. Jamie Beck, President and Managing Attorney of Free to Thrive. November 21, 2019. Written testimony to the Commission.
26. California State Budget 2019-20. Department of Justice. Page 3. Accessed June 9, 2020 at <http://www.ebudget.ca.gov/2019-20/pdf/Enacted/GovernorsBudget/0010/0820.pdf>. Also, California State Assembly. June 17, 2019. Floor Report: 2019-20 State Budget. Page 133. Accessed June 9, 2020 at <https://abgt.assembly.ca.gov/sites/abgt.assembly.ca.gov/files/Updated%20Floor%20Report%20of%20the%202019-20%20Budget%20-%20JUNE%2017%20VERSION.pdf>.
27. Kathleen Kim, Professor of Law, Loyola Law School. November 21, 2019. Written testimony to the Commission.
28. Kathleen Kim. See endnote 27. Note: The Human Trafficking Legal Center, based in Washington, D.C., collects data on federal civil labor trafficking cases; Human Trafficking Data, an open-source database, collects data on federally prosecuted criminal human trafficking cases.
29. Ohio Human Trafficking Task Force. January 2019. Governor's Ohio Human Trafficking Task Force Report. Accessed August 28, 2019 at <https://humantrafficking.ohio.gov/OhioHumanTraffickingTaskForceReport0119.pdf>. Also, Valerie Anderson, Principal Investigator, University of Cincinnati, et al. February 1, 2019. Estimating the Prevalence of Human Trafficking in Ohio. Accessed August 5, 2019 at https://humantrafficking.ohio.gov/links/Ohio_Human_Trafficking_Prevalence_Study_Full_Report.pdf. Note: Many of the sources for government data used in this investigation related to minors who had been subject to sexual exploitation. Thus, it appears minor sex trafficking victims dominated the sample and labor trafficking victims may be underrepresented.
30. Valerie Anderson. See endnote 29.
31. Kay Buck. See endnote 20.
32. Coalition to Abolish Slavery and Trafficking. "A Legacy of Robust Research to Better Assist California's Trafficking Victims." On file.
33. Note: California's human trafficking laws include: Victim Assistance: Victims of Trafficking, Domestic Violence, and Other Serious Crimes

■ Notes Continued

- (Welfare and Institutions Code, §13283); Training for Law Enforcement (Penal Code §13519.14); Sexually Exploited Minors, Training and Collaboration (Welfare and Institutions Code §18259); Investigative Tools: Definitions of Criminal Profiteering Activity, Prosecuting Agency, Organized Crime (Penal Code §186.2); Victim Assistance: Definitions (Welfare and Institutions Code § 18945); Human Trafficking Definition (Penal Code §236.1); Asset Forfeiture (Penal Code §236.3); Law Enforcement Endorsement Regulations (Penal Code §236.5); and Access to Civil Action for Damages to Victims of Human Trafficking (Civil Code §52.5).
34. AB 22 (Lieber), Chapter 240, Statutes of 2005.
35. Jean Bruggeman. See endnote 16.
36. Lynette Gonzales, Deputy District Attorney, Fresno County District Attorney's Office. November 11, 2019. Written testimony to the Commission.
37. Kathleen Kim. See endnote 27. Also, Anh Truong, Supervising Deputy City Attorney, and Rena Shahandeh, Deputy City Attorney, Office of the Los Angeles City Attorney. November 14, 2019. Written testimony to the Commission.
38. Manny Alvarez, Executive Director, Commission on Peace Officer Standards and Training. August 30, 2019. Personal communication with Commission staff.
39. Summer Stephan, District Attorney, San Diego County. November 21, 2019. Written testimony to the Commission. Also, Lynette Gonzales. See endnote 36.
40. Nancy O'Malley, District Attorney, Alameda County. November 21, 2019. Written testimony to the Commission.
41. Lynette Gonzales. See endnote 36.
42. Lynette Gonzales. See endnote 36.
43. SB 180, Kuehl, Chapter 239, Statutes of 2005. Also, Kamala D. Harris. See endnote 2.
44. SB 35 (Chang), 2019-2020 Regular Session.
45. Washington State Legislature. Revised Code of Washington, Title 7, Section 7.68.350. Washington state task force against the trafficking of persons. Accessed December 26, 2019 at <https://apps.leg.wa.gov/rcw/default.aspx?cite=7.68.350>.
46. Washington State Task Force Against the Trafficking of Persons. November 13, 2018. Goal Implementation Plan. Accessed December 26, 2019 at <https://deptofcommerce.app.box.com/s/ci1zkrwff8h88i9jf6i2988m74h90bco/file/328525586121>.
47. Washington State Task Force Against the Trafficking of Persons. November 2018. Recommendation matrix Accessed December 26, 2019 at <https://deptofcommerce.app.box.com/s/ci1zkrwff8h88i9jf6i2988m74h90bco/file/369534760761>.
48. Minnesota Human Trafficking Task Force. "MNHTTF Committees." Accessed March 2, 2020 at <https://www.mnhttf.com/site/our-role-purpose/initiatives/>.
49. Amanda Colegrove and Caroline Palmer, Minnesota Department of Health. December 23, 2019. Personal communication with Commission staff.
50. The Advocates for Human Rights. Labor Trafficking Protocol Guidelines. Accessed December 26, 2019 at https://www.theadvocatesforhumanrights.org/uploads/labor_trafficking_protocol_guidelines_final.pdf.
51. Colorado House Bill 14-1273. 2014. Accessed December 26, 2019 at <https://cdpsdocs.state>.

■ Notes Continued

- co.us/ovp/Human_Trafficking/ActHB14-1273.pdf.
52. Maria Trujillo. Human Trafficking Program Manager, Colorado Human Trafficking Council. December 3, 2019. Personal communication with Commission staff.
53. Colorado Human Trafficking Council. 2017. Annual Report. Accessed December 26, 2019 at https://cdpsdocs.state.co.us/ovp/Human_Trafficking/report/2017-Annual-Report-Full.pdf.
54. Colorado Human Trafficking Council. 2018. Annual Report. Accessed December 26, 2019 at https://cdpsdocs.state.co.us/ovp/Human_Trafficking/report/2018-Annual-Report-Online.pdf.
55. Colorado Human Trafficking Council. January 2020. "Recommendations for Addressing Labor Trafficking." On file.
56. Kristina Davis. November 25, 2017. "Survivor of child labor trafficking profiled in daughter's documentary." The San Diego Union Tribune. Also, Kendra Sitton. December 13, 2019. "State agency pushes new focus on labor trafficking." San Diego Uptown News. Also, Renuka Zellars, Survivor Advocate. November 21, 2019. Testimony to the Commission.
57. Nancy O'Malley. See endnote 40. Also, Nancy O'Malley, District Attorney, Alameda County. October 15, 2019. Personal communication with Commission staff.
58. Bureau of Justice Assistance, U.S. Department of Justice. Anti-Human Trafficking Task Force Initiative. Accessed March 6, 2020 at <https://bja.ojp.gov/program/anti-human-trafficking-task-force-initiative/overview>.
59. Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. OMB No. 1121-0329. "FY 2019 Enhanced Collaborative Model (ECM) Task Force to Combat Human Trafficking: Supporting Law Enforcement's Role." Accessed March 6, 2020 at <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/BJA-2019-15230.PDF>.
60. William Woolf, Director of Human Trafficking Programs, Office of the Assistant Attorney General, U.S. Department of Justice. March 2, 2020. Personal communication with Commission staff.
61. Paul Chang, Western Regional Anti-Human Trafficking Coordinator, Wage and Hour Division of the U.S. Department of Labor. October 17, 2019. Personal communication with Commission staff.
62. Anh Truong and Rena Shahandeh. See endnote 37.
63. Kay Buck. See endnote 20.
64. Summer Stephan. See endnote 39.

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■ Little Hoover Commission Members

CHAIRMAN PEDRO NAVA | Santa Barbara

Appointed to the Commission by Speaker of the Assembly John Pérez in April 2013 and reappointed by Speaker of the Assembly Anthony Rendon in 2017. Government relations advisor. Former State Assemblymember from 2004 to 2010, civil litigator, deputy district attorney and member of the state Coastal Commission. Elected chair of the Commission in March 2014.

VICE CHAIRMAN SEAN VARNER | Riverside

Appointed to the Commission by Governor Edmund G. Brown Jr. in April 2016 and reappointed in January 2018.

Managing partner at Varner & Brandt LLP where he practices as a transactional attorney focusing on mergers and acquisitions, finance, real estate, and general counsel work. Elected vice chair of the Commission in March 2017.

DION ARONER | Berkeley

Appointed to the Commission by the Senate Rules Committee in April 2019. Partner for Aroner, Jewel, and Ellis. Former State Assemblymember from 1996 to 2002, chief of staff for Assemblymember Tom Bates, social worker for Alameda County, and the first female president of Service Employees International Union 535.

DAVID BEIER | San Francisco

Appointed to the Commission by Governor Edmund G. Brown Jr. in June 2014 and reappointed in January 2018.

Managing director of Bay City Capital. Former senior officer of Genentech and Amgen, and counsel to the U.S. House of Representatives Committee on the Judiciary.

CYNTHIA BUIZA | Los Angeles

Appointed to the Commission by Speaker of the Assembly Anthony Rendon in October 2018. Executive director of the California Immigrant Policy Center. Former policy director for the American Civil Liberties Union, San Diego, and policy and advocacy director at the Coalition for Humane Immigrant Rights of Los Angeles.

BILL EMMERSON | Redlands

Appointed to the Commission by Governor Edmund G. Brown Jr. in December 2018. Former senior vice president of state relations and advocacy at the California Hospital Association, State Senator from 2010 to 2013, State Assemblymember from 2004 to 2010, and orthodontist.

ASM. CHAD MAYES | Yucca Valley

Appointed to the Commission by Speaker of the Assembly Toni Atkins in September 2015. Elected in November 2014 to represent the 42nd Assembly District. Represents Beaumont, Hemet, La Quinta, Palm Desert, Palm Springs, San Jacinto, Twentynine Palms, Yucaipa, Yucca Valley, and surrounding areas.

SEN. JIM NIELSEN | Gerber

Appointed to the Commission by the Senate Rules Committee in March 2019. Elected in January 2013 to represent the 4th Senate District. Represents Chico, Oroville, Paradise, Red Bluff, Yuba City, and surrounding areas.

ASM. BILL QUIRK | Hayward

Appointed to the Commission by Speaker of the Assembly Anthony Rendon in 2017. Elected in November 2012 to represent the 20th Assembly District. Represents Hayward, Union City, Castro Valley, San Lorenzo, Ashland, Cherryland, Fairview, Sunol, and North Fremont.

SEN. RICHARD ROTH | Riverside

Appointed to the Commission by the Senate Rules Committee in February 2013. Elected in November 2012 to represent the 31st Senate District. Represents Corona, Coronita, Eastvale, El Cerrito, Highgrove, Home Gardens, Jurupa Valley, March Air Reserve Base, Mead Valley, Moreno Valley, Norco, Perris, and Riverside.

CATHY SCHWAMBERGER | Calistoga

Appointed to the Commission by the Senate Rules Committee in April 2018 and reappointed in January 2019. Associate general counsel for State Farm Mutual Automobile Insurance Company. Former board member of the Civil Justice Association of California and the Capital Political Action Committee.

JANNA SIDLEY | Los Angeles

Appointed to the Commission by Governor Edmund G. Brown Jr. in April 2016 and reappointed in February 2020. General counsel at the Port of Los Angeles since 2013. Former deputy city attorney at the Los Angeles City Attorney's Office from 2003 to 2013.

Full biographies are available on the Commission's website at www.lhc.ca.gov.

**“DEMOCRACY ITSELF IS A PROCESS OF CHANGE, AND
SATISFACTION AND COMPLACENCY ARE ENEMIES OF
GOOD GOVERNMENT.”**

By Governor Edmund G. “Pat” Brown,
addressing the inaugural meeting of the Little Hoover Commission,
April 24, 1962, Sacramento, California



Milton Marks Commission on California State
Government Organization and Economy

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